

1894-086
Lee Co.

Chancery Causes: Mary Ward vs. Harvey L. Flanery &c

Slump

CA-Debt

T-Property

Virginia:

To the Hon. H. S. K. Morrison, Judge of the
Circuit Court of Lee County—

Your Oratrix, Mary Ward would
respectfully represent that one Nelson
Lunsford and Catherine Lunsford ex-
ecuted to your Oratrix their note
for the sum of One hundred Dollars
on the 15th day of November, 1892, with
interest from the 1st day of March,
1893, till paid; that she placed said
note in the hands of one W. N. G. Slump,
for collection, who sued on the same
in his name as assignee of your
Oratrix on the day of 1894;
by taking out a warrant, issued by
J. B. Barker, J. P. and returnable to and
before J. B. Barker, J. P. on the day of
1894, and judgment was rendered
by said Barker, J. P. on the said day
of 1894 in favor of said Slump, as-
signee &c, on which judgment an ex-
ecution was issued by said Justice
on the day of 1894, and was
placed in the hands of Harvey D.
Flanery, a Constable of Lee County, Va
for collection.

Your Oratrix Charges that
she never assigned, sold, or

2)

in a way parted with the right to the property in said note or judgment and execution, which will fully appear by an inspection of the receipt for said note signed by the said W. N. H. Slump, here filed marked "B" and prayed to be taken as a part of this bill.

Your oratrix charges that the said judgment and execution is hers, and that W. N. H. Slump is insolvent and that he is wrongfully seeking to convert the said judgment and execution to his own use.

The prayer of your oratrix is that Harry L. Flawery, Constable & Co, and W. N. H. Slump be made parties defendant to this bill; that they answer the same but not upon oath that being waived; that said Constable be decreed to pay the said money to your oratrix; that an injunction be granted in favor of your oratrix enjoining and inhibiting the said Constable from paying said money to any other

3) person than your Ostrich or
her attorneys; that your Honor
decree Twenty dollars of said
money to Wm A. Orr and M. H. Ely,
her Attorneys as and for their
fee in this case; that gen-
eral relief be granted your
Ostrich, and as in duty
bound she will ever pray.
May the Commonwealth's Court of
Iowa issue & direct &c.
M. H. Ely, Atty
Wm A. Orr

Virginia: In the Clerk's Office of Lin County
Circuit Court, March 13th 1894.

J. A. B. Munsey, Clerk of the Circuit Court of
Lin County, do Certify that Wm A. Orr
appeared before me in my Office this
day and made oath that the foregoing
bill is true so far as the facts depend
upon his own knowledge and so far
as they ~~that~~ depend upon the knowledge
of others he believes them to be true.
Given under my hand

A. B. Munsey clerk

Mary Ward

vs J Injunction

H. L. Flannery, Const. et al

1894 1st April Rules

Bill filed Sp. Ed
& Decree nisi

" 2 April Rules

A nisi caught & C
set for hearing by J. J.

" Mar Term Decree & Contd

" June Decree final

See Order Book 4 Page 2

C 6.35-

S 1.00

J.P. 1.00

C.C. 25-

\$ 8.60

Wm A. Orr } attys
M. H. Ely }

Recd of Mary Word one note for \$100⁰⁰ on Nelson
Lunsford & Cathron Lunsford dated November 15th 1892
and ^{due} March 1st 1893. which note is assigned by a
writing endorsed ~~to~~ ^{to} me for the purpose
of collection and I am to account to her
for the same. This Sept. 1893

MW N G Lunsford

"O"

11

Mary Ward

vs

J. L. Flannery

H. L. Flannery, Constable, et al

This cause came on this day to be heard upon the bill taken pro Confesso, process having been duly served upon the defendants and they having failed to plead or answer, and was argued by counsel. Upon consideration of which the Court adjudges, orders and decrees that H. L. Flannery, Constable, pay to M. J. Ely, Atty, Ten dollars for his services in this case and that execution issue therefor; that H. L. Flannery, Constable pay to Wm A. Orr Atty, Ten dollars for his services in this case, and that execution issue therefor: And that H. L. Flannery, Constable, pay to Wm N. G. Slump, Agent of Mary Ward \$100⁰⁰, the debt in the bill mentioned, subject to a Credit of \$20⁰⁰ as of this date, with interest from the 1st day of March 1873, till paid, and One dollar Justice Costs, and that execution issue therefor, and ~~the case is stricken~~ and that Wm N. G. Slump pay the costs of this suit except that no Atty's fee is to be taxed. And the case is stricken from the docket.

Mary Ward
vs. J. Lucie
H. L. Flannery Court et al

Entered in Chancery Book 4 P. 2

Enter this decree
W. J. M.
J. M. 1894

Mary Ward & Du Chy

vs
H. L. Flannery, Const. et al

This case came on this day to be heard upon Motion ^{ofophile Fitzgerald} of the plaintiff who exhibited her bill, which is sworn to according to law, upon consideration of which Injunction is hereby granted her, enjoining the defendant H. L. Flannery, a constable of Lee County, Va from paying out the money in the bill mentioned to the defendant Wm. H. H. Sleep, and the said Sleep from collecting the same until the future order of the Court. But this injunction shall be inoperative until the Complainant or some one for her shall execute bond before the Clerk of this Court in the penalty of \$225⁰⁰ ~~the same~~ Conditioned according to law.

Mary Ward
vs. J. L. Linn

H. L. Linn, Court Clerk
Entered Chy Order
Book Page 578
March 13th 94

Enter
H. L. Linn
3/13/94

The Commonwealth of Virginia,

To the Sheriff of the County of Lee, Greeting:

WE COMMAND YOU, That you summon

Harvey L. Flavery, a
Constable of Lee County, Va and Wm H.
A. Kemp

to appear at the Clerk's Office of the Circuit Court of the County of Lee, at the rules to be held for the said Court on the *12th* Monday in *Apr* 189*4* to answer a bill in Chancery, exhibited against *them* in our said court by *Mary Ward*

And have then there this writ.

Witness, A. B. MUNSEY, Clerk of our said Court, at the court-house,

the *13th* day of *March* 189*4*, and in the *11th* year of the Commonwealth.

A B Munsey Clerk.

Tax paid by M^A
Orr atty

Mary Ward

vs.

SUBPENA
IN CHANCERY.

H L Flanary et al

M. A. Orr p. q.

To 1st April Rules 1894

Circuit Court.

Executed by delivering
a true office copy
of the within sum
to H L Flanary &
W. C. G. Slump
on the 30 day of
March 1894
L. M. Wade D. S. for
C. E. Flanary
S. L. Co.